

## Message Text

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ORIGIN IO-10

INFO OCT-01 ISO-00 OIC-02 CIAE-00 DODE-00 PM-03 H-02

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USIA-06 SCCT-01 AF-06 ARA-06 EA-06 EUR-12 NEA-10 EB-07

AID-05 /111 R

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FM SECSTATE WASHDC

TO USMISSION GENEVA

INFO USMISSION USUN NEW YORK

C O N F I D E N T I A L STATE 161650

E.O. 11652: GDS

TAGS: ECOSOC, UN, EGEN

SUBJECT: 59TH ECOSOC: ISRAELI OBSERVER'S STATEMENT ON PLO

REF: A) GENEVA 5238; B) STATE 157681; C) GENEVA 5222;

D) GENEVA 5143

FOR AMBASSADOR MOYNIHAN

1. WE HAVE REVIEWED INSTRUCTION (REFTEL B).
2. REFTEL B WAS DESPATCHED ON JULY 3 IN RESPONSE TO THE DELEGATION'S REQUEST OF THAT SAME DATE FOR URGENT INSTRUCTIONS AND WAS ADMITTEDLY NOT REVIEWED AS LITERARY MODEL.

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3. IN ADDITION, YOU SHOULD BE AWARE THAT THOSE DRAFTING

THE MESSAGE HERE DID NOT HAVE THE BENEFIT OF INFORMATION, NORMALLY PROVIDED EARLY BY DELEGATIONS HANDLING SUCH ISSUE, REGARDING THE ISRAELI ATTITUDE TOWARD THE PARTICULAR ASPECT OF PLO PROBLEM BEING CONSIDERED. JUDGING BY THE INFORMATION THE DELEGATION PROVIDED ON JULY 7 IN REFTELS A AND C (FOUR DAYS AFTER GUIDANCE WAS REQUESTED), ISRAEL APPEARS TO HAVE SHIFTED FROM ITS USUAL STANCE OF CHALLENGING THE PLO'S RIGHT TO SPEAK. HOWEVER, THE DELEGATION HAS THUS FAR PROVIDED NO INDICATION AS TO WHETHER THIS IS RELATED TO THE FACT THAT ISRAEL IS NOT A MEMBER OF ECOSOC AND WOULD THEREFORE NOT NORMALLY BE CONCERNED WITH ITS PROCEDURES.

4. EVEN SO, ISRAEL ATTITUDE IS ONLY ONE OF FACTORS DEPARTMENT MUST CONSIDER WHEN PLO ISSUE ARISES. DEPARTMENT'S INSTRUCTIONS WERE PROVIDED AGAINST THE BACKGROUND OF A CONTINUING EFFORT (REFLECTED IN DELEGATION'S BRIEFING PAPER AND KNOWN TO THE US MISSION IN GENEVA) TO LIMIT TO THE DEGREE POSSIBLE THE INTERPRETATION OF THE ROLE OF AN OBSERVER WHO DOES NOT REPRESENT A UN MEMBER STATE. THIS STEMS NOT ONLY FROM SENSITIVITIES REGARDING THE PLO, BUT ALSO FROM CONCERN FOR THE DAMAGE TO EFFICIENT PROCEDURES WHICH CAN ENSUE IF THE CONCEPT OF OBSERVER IS BROADLY INTERPRETED AND IF OTHER MOVEMENTS OBTAIN AND TAKE ADVANTAGE OF THAT STATUS. THUS, WHILE WE WOULD NOT TRY TO PLACE LIMITS ON WHAT SUBJECTS A UN MEMBER STATE MIGHT WISH TO ADDRESS WHEN IT SENDS AN OBSERVER TO A UN MEETING, WE WOULD WISH TO DO SO IF POSSIBLE IN THE CASE OF A NON-GOVERNMENTAL ORGANIZATION (SUCH AS A "LIBERATION MOVEMENT"). THIS IS ESPECIALLY SO IF LATTER'S OBSERVER STATUS IS QUALIFIED, AS IN THE CASE OF RULE 73 OF THE ECOSOC RULES OF PROCEDURE, BY SPECIFYING "THE COUNCIL MAY INVITE ANY NATIONAL LIBERATION MOVEMENT RECOGNIZED BY OR IN ACCORDANCE WITH RESOLUTIONS OF THE GENERAL ASSEMBLY TO PARTICIPATE, WITHOUT THE RIGHT TO VOTE, IN ITS DELIBERATIONS ON ANY MATTER OF PARTICULAR CONCERN TO THAT MOVEMENT."

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5. IT IS RELEVANT TO RECALL THAT THE PLO'S INTERVENTIONS AT THE 29TH GA WERE LIMITED TO THE PALESTINE QUESTION AND THE UNRWA ITEM, AND WE BELIEVE THIS IS A HELPFUL PRECEDENT. THESE ISSUES WERE OBVIOUSLY OF CONCERN TO THE PLO. OTHER ITEMS MAY NOT BE, AND WE DO NOT SUBSCRIBE TO AN INTERPRETATION OF ECOSOC RULE OF PROCEDURE 73 ATTRIBUTED IN REFTEL D TO THE CHAIRMAN THAT ANY REQUEST TO SPEAK ON ANY MATTER IS

ALL THAT IS REQUIRED FROM AN OBSERVER. WE SEE NO REASON FOR A NON-MEMBER STATE OBSERVER ENTITY TO

PARTICIPATE IN THE GENERAL DEBATE, AND THIS COULD BE AN UNHELPFUL PRECEDENT FOR THE UNGA. THE FACT, REPORTED IN REFTEL C, THAT THE PRESIDENT IS WILLING PASS ADVICE TO OBSERVERS REGARDING THE TIMING AND NATURE OF INTERVENTIONS GIVES US SOME HOPE THAT HE MIGHT BE WILLING TO EXERCISE DISCRETION IF PLO MAKES EXCESSIVE DEMANDS FOR THE FLOOR.

6. DELEGATION IS THEREFORE INSTRUCTED TO MAKE KNOWN TO ECOSOC PRESIDENT AKHUND DIRECTLY, THRU THE ECOSOC SECRETARY CONCERNED, OR VIA CONSULTATION WITH THE LEGAL ADVISER THE PROCEDURE DESCRIBED IN PARA ONE OF REFTEL B, OBSERVING THAT THEY SHOULD BE CONCERNED, IN THE INTEREST OF EFFICIENCY AND GERMANENESS, BOTH IN ECOSOC AND IN THE UN, IN ESTABLISHING A FAIRLY STRICT INTERPRETATION OF THE PREROGATIVES OF OBSERVERS WHO DO NOT REPRESENT MEMBER STATES.

7. IF APPROACH IN PARA 2 OF ORIGINAL INSTRUCTION (REFTEL B) APPEARS TO PLACE US IN A STRONGER POSITION OF OPPOSITION TO THE PLO THAN ISRAEL'S, WE BELIEVE THIS CAN BE JUSTIFIED BY OUR GREATER CONCERN FOR ECOSOC PROCEDURES SINCE WE ARE A MEMBER AND ISRAEL IS NOT THERE MAY BE OTHER OCCASIONS IN WHICH ISRAEL WILL TAKE A MORE VIGOROUS LINE THAN WE DO ON THE PLO. INGERSOLL

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